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Mitchell Denies Knowing About Mail Openings

By Norman Kempster
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Former Atty. Gen. John N. Mitchell said today he was never informed that the CIA was illegally opening mail and sometimes sharing the contents with the FBI.

Mitchell's testimony to the Senate Intelligence Committee contradicted former CIA director Richard Helms who said he briefed Mitchell on the mail-opening operation on June 1, 1971, about 2½ years after the former attorney general took office.

Mitchell confirmed the meeting with Helms but said the former CIA director discussed legal mail cover — the observation of the outside of envelopes — rather than opening of letters.

Asked if he discussed the question of the legality of the operation with Helms, Mitchell responded, "I do not believe the question of legality would arise during a conversation of mail cover."

In testimony to the committee this week and in memos written at the time, Helms said he informed Mitchell of the mail opening and ascertained the attorney general did not object to it.

As a result of Helms' conversa-

tions with Mitchell and former Postmaster General Winton Blount, the mail-opening operation, which began in 1953, was allowed to continue for another two years before it was terminated in 1973 by CIA Director William E. Colby.

THE COMMITTEE called Mitchell to inquire specifically about the mail operation as a result of Helms' testimony Wednesday. But neither the lawmakers nor the former attorney general could pass up the opportunity to discuss broader subjects of public policy.

His face set in a glower and smoking the pipe that became familiar during the Watergate investigation, Mitchell said there was no way an attorney general could guarantee the legality of FBI activities.

Sen. Walter F. Mondale, D-Minn., suggested the FBI must have been out of control if it received illegally opened mail from the CIA without telling the attorney general about it.

"I haven't said they were accountable," Mitchell responded. "I said I believe they should be accountable. I believe I could go back over my experiences in the Justice Department and find instances in which the Bureau was not fully accountable."

MITCHELL, WHO is appealing his conviction on charges of obstruction of justice and perjury in the Watergate cover-up case, served as attorney general in the Nixon administration prior to his resignation in 1972 to become Nixon's re-election campaign manager. The late J. Edgar Hoover was FBI director during Mitchell's tenure.

"It is practically impossible for the attorney general to monitor everything that goes on in the Federal Bureau of Investigation," Mitchell said. He said the only way the attorney general could control the bureau is through the selection of a director who is responsive to the administration.

Responding to a suggestion from Sen. Howard H. Baker, R-Tenn., Mitchell said it might be preferable to limit future FBI directors to a single term of a fixed number of years. Neither Baker nor Mitchell suggested what that term might be.

MITCHELL SAID the only way Congress can supervise the FBI or the CIA would be to "get your list of things you don't want them to do and do want them to do, get them (FBI and CIA officials) up here, put them under oath and ask them if they are doing it. Then you'd find out."

When Sen. Charles McC. Mathias, R-Md., lectured Mitchell on violations of the 4th Amendment, Mitchell responded that if a foreign embassy had an atomic bomb in its basement "you wouldn't want to have to get a warrant for that."

"No one has developed an atomic bomb that can be put in an envelope," Mathias said.

"Apparently somebody has put bombs in envelopes or you wouldn't be holding these hearings," Mitchell said.

"There are many kinds of bombs," Mathias replied dryly. "You said atomic."